

PROBATION
United States District Court
Southern District of Texas
FILED

JAN 17 2006

Michael N. Milby, Clerk
Laredo Division

**UNITED STATES DISTRICT COURT
for the
SOUTHERN DISTRICT OF TEXAS**

United States District Court
Southern District of Texas
ENTERED

JAN 18 2006

Michael N. Milby, Clerk
Laredo Division

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Rolando Garcia Case Number: 5:04CR01751-001
AKA: Rolando Garcia Molina

Name of Sentencing Judge: The Honorable Manuel L. Real

Date of Original Sentence: 01/27/2005

Original Offense: Illegal entry [8 USC § 1325]

Original Sentence: 5 years probation; \$100.00 special assessment fee; special condition ordering the defendant not to return to the United States illegally

Type of Supervision: Probation Supervision Started: 01/27/2005

Assistant U.S. Attorney: Jose A. Flores Defense Attorney: Marissa Perez-Garcia

EARLIER COURT ACTION

None

PETITIONING THE COURT

TO ISSUE A WARRANT for defendant located at US Marshals Custody Laredo, Texas

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	New Law Violation: Illegal entry
2	Violation of special condition ordering the defendant not to return to the United States illegally

On 12/23/2005, the defendant violated the conditions of probation by illegally entering the United States, as evidenced by a criminal complaint filed with the United States District Court on 12/28/2005.

Details: Criminal Complaint No. 5-05-PO-4673 contains verbal statements made by the defendant to U.S. Immigration Officers that he waded across the Rio Grande River into the United States near Laredo, Texas, thus avoiding immigration inspection. Additionally, he did not have in his possession the required documentation to enter, travel, through, or remain in the United States when immigration officers confronted him on 12/27/2005.

Sentencing in this latest case is set before US Magistrate Judge Adriana Arce Flores on 02/22/2006.

U.S. Probation Officer Recommendation:

That a violator's warrant be issued and no bond be set for the defendant's continued disregard of the immigration laws of the United States. Additionally, that probation revocation proceedings be set soon after US Magistrate Judge Adriana Arce Flores imposes a sentence in Criminal Complaint No. 5-05-PO-4673.

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

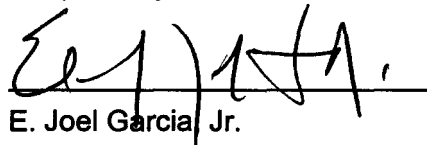
Approved:



Jo Anne W. Brooks, Supervising
U.S. Probation Officer

Respectfully submitted:

by



E. Joel Garcia, Jr.
Sr. US Probation Officer
January 6, 2006

THE COURT ORDERS:

☐ No Action

☒ The Issuance of a Warrant, and no bond be set. Additionally, that the term of probation be tolled effective the date of the warrant.

☐ That the defendant be summoned to appear before the Court on _____ at _____ for a Probation revocation hearing to show cause why his Probation should not be revoked.

☐ Other _____

U.S. MARSHAL'S OFFICE

BY: 

DATE: 1-18-06

TIME: 8:50 AM


Honorable George P. Kazen
United States District Judge

1/15/06
Date